

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

STEPHEN H. PERRON,  
And  
BANKRUPTCY TRUSTEE OF THE  
SOUTHERN DISTRICT OF INDIANA

Case No.:1:12-cv-1853-TWP-TAB

**Plaintiffs,**

v.

**Jury Trial Requested**

JPMORGAN CHASE BANK, N.A.,  
Formally known as,  
CHASE HOME FINANCE, LLC,

**Defendant.**

**MOTION TO VACATE FINAL PRE-TRIAL DATE, JURY TRIAL DATE AND THIRD  
REQUEST FOR EXTENSION OF TIME OF CMP DEADLINES**

Now comes, Plaintiff, by and through counsel, for his Motion To Vacate Final Pre-Trial, Jury Trial and Third<sup>1</sup> Extension of Time of CMP deadlines and would state:

1. This matter is set for a final pre-trial on September 10, 2014 at 2:30 p.m. [Dkt. 30]
2. The jury trial is set for October 6, 2014 at 9:00 a.m. [Dkt. 30]
3. The Court granted in part Defendant's Motion To Dismiss March 10, 2014. [Dkt. 36]
4. The Defendant filed its Answer on April 30, 2014. [Dkt. 46]
5. The Plaintiffs desire additional time in which to settle this matter and/or continue to move the case forward in litigation.
6. The current relevant CMP deadlines are as follows:
  - i. Liability Discovery Cutoff: March 19, 2014;

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<sup>1</sup> The Court denied the Second Motion For Extension of CMP deadlines [Dkt. 35] as Plaintiff failed to vacate the pre-trial and jury date which would have been impacted by the extension. [Dkt. 35]

- ii. Plaintiff's Fed. R. Civ. P. 26(a)(2)(B) Disclosures: May 20, 2014;
  - iii. Final Witness and Exhibit Lists: May 20, 2014;
  - iv. Summary Judgment: May 20, 2014;
  - v. Defendant's Fed. R. Civ. P. 26(a)(2)(B) Disclosures: June 20, 2014; and
  - vi. Expert and Damages Discovery Cutoff: July 17, 2014.
7. During the pendency of the Motion To Dismiss the parties have exchanged written discovery requests and responses.
8. Plaintiffs requests that all deadlines in the CMP be extended by 120 days.
9. Defendant has no objection to vacating the pre-trial, trial date and extending the CMP deadlines.
10. If granted the CMP deadlines would then be:
- i. Liability Discovery Cutoff: **July 17, 2014;**
  - ii. Plaintiff's Fed. R. Civ. P. 26(a)(2)(B) Disclosures: **September 17, 2014;**
  - iii. Final Witness and Exhibit Lists: **September 17, 2014;**
  - iv. Summary Judgment: **September 17, 2014;**
  - v. Defendant's Fed. R. Civ. P. 26(a)(2)(B) Disclosures: **October 18, 2014;** and
  - vi. Expert and Damages Discovery Cutoff: **November 14, 2014.**

WHEREFORE, Plaintiffs respectfully request that the Court grant their motion, and any additional relief as this Court deems just and proper.

Respectfully submitted,

By: s/ Ryan Frasher

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**CERTIFICATE OF SERVICE**

I hereby certify that on or about May 20, 2014, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic system, or mail where necessary. Parties may access this filing through the Court's system.

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